

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1099 be amended to read as follows:

- 1 Page 16, between lines 2 and 3, begin a new paragraph and insert:
2 "SECTION 16. IC 22-11-14-16 IS ADDED TO THE INDIANA
3 CODE AS A NEW SECTION TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]: **Sec. 16. If:**
5 **(1) a court awards a person damages for personal injury,**
6 **property damage, or other loss due to the negligent use of**
7 **fireworks; and**
8 **(2) the person who caused the injury, damage, or loss is**
9 **unable to pay, through insurance or otherwise, the judgment**
10 **in full;**
11 **the retailer, wholesaler, importer, or manufacturer, or a**
12 **combination of the retailer, wholesaler, importer, or manufacturer,**
13 **is jointly and severably liable to the person who suffered the loss**
14 **for the amount of the unsatisfied judgment."**
15 Page 17, between lines 22 and 23, begin a new paragraph and insert:
16 "SECTION 21. [EFFECTIVE UPON PASSAGE] **(a)**
17 **Notwithstanding IC 22-11-14-2(a) and IC 22-11-14-8(d), both as**
18 **amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15, both**
19 **as added by this act, the fire safety and building commission shall**
20 **carry out the duties imposed upon it by this act with respect to the**
21 **matters referred to in IC 22-11-14-2(a) and IC 22-11-14-8(d), both**
22 **as amended by this act, and IC 22-11-14-3.5 and IC 22-11-14-15,**
23 **both as added by this act, under interim written guidelines**
24 **approved by the state fire marshal.**
25 **(b) This SECTION expires on the earlier of the following:**
26 **(1) The date rules are adopted under IC 22-11-14-2(a) and**
27 **IC 22-11-14-8(d), both as amended by this act, and**
28 **IC 22-11-14-3.5 and IC 22-11-14-15, both as added by this**
29 **act.**
30 **(2) December 31, 2007.**

1 SECTION 22. [EFFECTIVE UPON PASSAGE] (a)
2 Notwithstanding IC 22-11-14-11(d) and IC 22-11-14-15, both as
3 added by this act, the department of state revenue shall carry out
4 the duties imposed upon it by this act with respect to the matters
5 referred to in IC 22-11-14-11(d) and IC 22-11-14-15, both as
6 added by this act, under interim written guidelines approved by
7 the commissioner of the department of state revenue.

8 (b) This SECTION expires on the earlier of the following:

9 (1) The date rules are adopted under IC 22-11-14-11(d) and
10 IC 22-11-14-15, both as added by this act.

11 (2) December 31, 2007."

12 Renumber all SECTIONS consecutively.

(Reference is to EHB 1099 as printed February 24, 2006.)

Senator DILLON